



5/11/2003
PATENT
450100-03376.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Katsumi KIMURA et al.
Serial No. : 10/058,688
For : IMAGING PREVENTION METHOD AND
SYSTEM
Filed : January 28, 2002
Examiner : Melissa J. Koval
Art Unit : 2851

745 Fifth Avenue
New York, NY 10151

I hereby certify that this correspondence is being deposited with
the United States Postal Service as first class mail in an envelope
addressed to: Assistant Commissioner for Patents, Washington,
DC 20231, on April 21, 2003.

Gordon Kessler, Reg. No. 38,511

Name of Applicant, Assignee or Registered Representative

Gordon Kessler for Gordon Kessler
Signature

April 21, 2003

Date of Signature

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**RESPONSE TO REQUIREMENT
FOR ELECTION OF SPECIES**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the Office Action which issued in this application on April
1, 2003, requiring an election of species among those species readable on Figures 1-3, 4, 5-6, 7-
8, 9-14, 15-20, 21, and 22-23, respectively.

It is submitted that claims 1-55 are readable on the above-identified drawing figures as follows:

Species I, Figs. 1-3, on which claims 1-4, 9, 10, 26-29, 32, 51 and 52 read;

Species II, Fig. 4, on which claims 5, 9, 10, 30, 32, 51 and 52 read;

Species III, Figs. 5-6, on which claims 6-10, 24, 31, 32, 49, 51 and 52 read;

Species IV, Figs. 7-8, on which claims 9, 10, 32, 33, 51 and 52 read;

Species V, Figs. 9-14, on which claims 1-4, 9-14, 26-29, 32, 34-38, 48 and 51-53 read;

Species VI, Figs. 15-20, on which claims 9, 10, 15-18, 23, 32, 39-43, 51, 52, 54 and 55 read;

Species VII, Fig. 21, on which claims 9, 10, 19-22, 32, 44-47, 51, 52, 54 and 55 read; and

Species VIII, Figs. 22-23, on which claims 9, 10, 25, 32, 44-47, 50-52, 54 and 55 read.

Species VII, Fig. 43, upon which claims 25, 26, 28, 29, 31, and 33 read.

Applicants elect, **without traverse**, Species V corresponding to Figures 9-14, including claims 1-4, 9-14, 26-29, 32, 34-38, 48 and 51-53, for further prosecution in the present application.

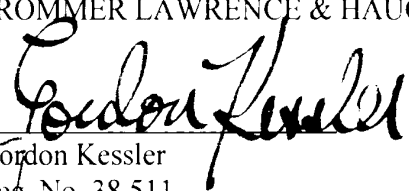
Applicants respectfully disagree with the Examiner and believe that claims 9, 10, 32, 51, and 52 are generic. Accordingly, if any of these claims are found to be generic and allowable, it is appreciated the instant requirement for an election of species will be withdrawn and all claims which include the limitations of the allowable generic claims will likewise be allowed.

Applicants reserve the right to file one or more divisional applications, if necessary, to proceed with the examination of the non-elected claims.

An early examination on the merits of the claims of this application is respectfully
solicited.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:


Gordon Kessler
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(212) 588-0800



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745 Fifth Avenue
New York, NY 10151
Tel: 212-588-0800

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☒ No additional fee is required.
☐ The fee has been calculated as shown below.
☐ This is an application of a small entity under 37 CFR 1.9(f), and the amounts shown in parentheses apply.

Claims as Amended

(1)	(2) Claims remaining after amendment	(3)	(4) Highest number previously paid for	(5) Present extra	(6) Rate	(7) Additional Fee
Total claims	24	Minus	** =55	* 0 x	\$18 (9)	= \$ 0
Independent claims	18	Minus	*** =45	* 0 x	\$84 (42)	= \$ 0
Total additional fee for this amendment						\$ 0

* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

** If the highest number of total claims previously paid for is less than 20, write "20" in this space.

*** If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

- ☐ This application contains a multiple dependent claim. The required fee of \$280(140) has been previously paid ☐, or is paid herewith ☐.
- ☐ This response is being filed within the _____ month following the expiration of the term originally set therefor. This is a petition to request a _____ month extension of time. A check covering the cost of the petition is enclosed.
- ☐ A check in the amount of \$_____ is attached, which covers the cost of ☐ additional claims _____ petition for extension of time.
- ☐ Charge \$_____ to Deposit Account No. 50-0320.
- ☒ Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.

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Gordon Kessler, Reg. No. 38,511

Name of Applicant, Assignee or Registered Representative

Gordon Kessler
Signature
April 21, 2003

Date of Signature

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By:

Gordon Kessler
Gordon Kessler
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